



01-05-06

Attorney Docket No.

Patent 033248-017

RCEd

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Darja Fercej Temeljotov et al.

Group Art Unit: 1616

Application No.: 09/913,752

Examiner: SHARMILA S GOLLAMUDI

Filing Date: November 21, 2001

Confirmation No.: 5309

Title: DIRECTLY COMPRESSIBLE MATRIX FOR CONTROLLED RELEASE OF SINGLE DAILY DOSES OF CLARITHROMYCIN

REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER

## MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Customer Number 41790

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the

☐ \$395.00 (2801) ☒ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).1. ☐ A. Applicant(s) requests that any previously unentered after final amendments not be entered.  
Continued examination is requested based on the enclosed documents identified in item 2 below.☒ B. Applicant(s) previously submitted the following documents for which continued examination is requested:☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 4, 2005☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_☐ Other: \_\_\_\_\_

2. The following documents are enclosed with this submission:

01/06/2006 BABRAHA1 00000084 09913752

☐ Amendment/Reply.

01 FC:1801

790.00 OP

☐ Affidavit(s)/Declaration(s).☐ Information Disclosure Statement (IDS).☐ A Petition for Extension of Time.☒ Other: return receipt postcard

3. ☐ Small entity status is hereby claimed.  
☒ No additional claim fee is required.  
☐ The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Examination Fee (1801)					\$ 790.00
Total Claims	41	MINUS 41 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	5	MINUS 5 =	0	x \$200.00 (1201) =	\$ 0.00
If multiple dependent claims are presented, add \$360.00 (1203)					
Total Fee					\$ 790.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
<b>TOTAL FEE DUE</b>					<b>\$ 790.00</b>

4. ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.  
5. ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.  
6. ☒ Charge \$ 790.00 to credit card. Form PTO-2038 is attached.  
7. ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

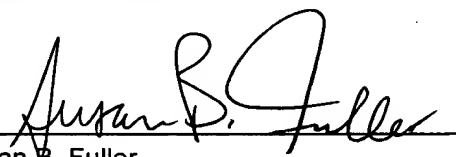
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL LLP

12230 El Camino Real  
Suite 300  
San Diego, CA 92130-2090  
(858) 509-7300

By



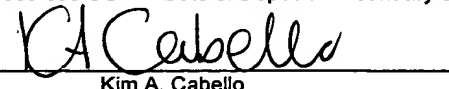
Susan B. Fuller

Registration No. 51,979

Filed: January 3, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label No.: EV 793 689 655 US Date of Deposit: January 3, 2006



Kim A. Cabello

Typed Name: